

292.460 Investigations and subpoenas.

- (1) The executive director in his discretion:
 - (a) May make such public or private investigations within or outside of this state as he deems necessary to determine whether any registration should be granted, denied, or revoked, or whether any person has violated or is about to violate any provision of this chapter or any rule or order under this chapter, or to aid in the enforcement of this chapter or in the prescribing of rules and forms hereunder;
 - (b) May require or permit any person to file a statement in writing, under oath or otherwise as the executive director may determine, as to all the facts and circumstances concerning the matter to be investigated; or
 - (c) May publish information concerning any violation of this chapter or any rule or order hereunder.
- (2) For the purpose of any investigation or proceeding under this chapter, the executive director or any officer designated by him may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require production of any books, papers, correspondence, memoranda, agreements, or other documents or records which the executive director deems relevant or material to the inquiry.
- (3) In case of contumacy by, or refusal to obey a subpoena issued to, any person, any court of competent jurisdiction, upon application by the executive director, may issue to that person an order requiring him to appear before the executive director, or the officer designated by him, there to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question; and any failure to obey the order of the court may be punished by the court as a contempt of court.
- (4) No person is excused from attending and testifying or from producing any document or record before the executive director, or in obedience to the subpoena of the executive director or any officer designated by him, or in any proceeding instituted by the executive director, on the ground that the testimony or evidence (documentary or otherwise) required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after claiming his privilege against self-incrimination, to testify or produce evidence (documentary or otherwise), except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 20, sec. 18, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 165, sec. 18, effective July 15, 1994. -- Created 1960 Ky. Acts ch. 110, sec. 15, effective January 1, 1961.

Legislative Research Commission Note (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming

the reorganization of the executive branch. Such a correction has been made in this section.